

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

TELINIT TECHNOLOGIES, LLC,

Plaintiff,

v.

UNIDEN AMERICA CORPORATION

Defendant.

CIVIL ACTION NO. 2:13-cv-743

LEAD CASE

UNOPPOSED MOTION TO DISMISS WITHOUT PREJUDICE

IT IS HEREBY STIPULATED AND AGREED by Third Party Defendant Gary Odom d/b/a Patent Hawk LLC and Defendant Spotify USA, Inc., by and through their undersigned counsel, and subject to the approval of the Court, that pursuant to Federal Rule of Civil Procedure 41(a)(1), all claims in this action between Gary Odom d/b/a Patent Hawk LLC and Spotify USA, Inc. are hereby dismissed without prejudice.

DATED: January 7, 2015

Respectfully submitted,

By: /s/ Melissa R. Smith

Melissa R. Smith
GILLAM & SMITH, LLP
303 S. Washington Avenue
Marshall, TX 75670
Tel: (903) 934-8450
Fax: (903) 934-9257
melissa@gillamsmithlaw.com

Jeffrey E. Ostrow (pro hac vice)
Harrison J. Frahn IV (pro hac vice)
Niels J. Melius (pro hac vice)
SIMPSON THACHER & BARTLETT LLP
2475 Hanover Street
Palo Alto, CA 94304
Tel: (650) 251-5000
Fax: (650) 251-5002
jostrow@stblaw.com
hfrahn@stblaw.com
niels.melius@stblaw.com

Gregory T. Chuebon (pro hac vice)
SIMPSON THACHER & BARTLETT LLP
425 Lexington Ave
New York, NY 10017
Tel: (212) 455-2000
Fax: (212) 455-2502
gchuebon@stblaw.com

***Attorneys for Defendant
Spotify USA, Inc.***

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 7th day of January, 2015, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Melissa R. Smith
Melissa R. Smith